

AN ACT

relating to the Texas High Performance Schools Consortium.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 7, Education Code, is amended by adding Section 7.0561 to read as follows:

Sec. 7.0561. TEXAS HIGH PERFORMANCE SCHOOLS CONSORTIUM.

(a) In this section, "consortium" means the Texas High Performance Schools Consortium established under this section.

(b) The Texas High Performance Schools Consortium is established to inform the governor, legislature, and commissioner concerning methods for transforming public schools in this state by improving student learning through the development of innovative, next-generation learning standards and assessment and accountability systems.

(c) From among school districts and eligible open-enrollment charter schools that apply using the form and in the time and manner established by commissioner rule, the commissioner may select not more than 20 participants for the consortium. The districts selected by the commissioner must represent a range of district types, sizes, and diverse student populations, as determined by the commissioner in accordance with commissioner rule. To be eligible to participate in the consortium, an open-enrollment charter school must have been awarded an exemplary distinction designation under Subchapter G,

Chapter 39, during the preceding school year.

(d) The number of students enrolled in consortium participants may not be greater than a number equal to five percent of the total number of students enrolled in public schools in this state according to the most recent agency data.

(e) The application process under Subsection (c) must require school districts and open-enrollment charter schools applying to participate in the consortium to submit a detailed plan designed to both support improved instruction of and learning by students and provide evidence of the accurate assessment of the quality of learning on campuses. The plan submitted by a school district may designate the entire district or one or more district campuses as proposed consortium participants. The plan submitted by a district or open-enrollment charter school must include:

(1) a clear description of each assessed curricular goal included in the learning standards adopted in accordance with Subsection (f)(2);

(2) a plan for acquiring resources to support teachers in improving student learning;

(3) a description of any waiver of an applicable prohibition, requirement, or restriction the district or charter school would want to apply for; and

(4) any other provisions required by the commissioner.

(f) In consultation with interested school districts, open-enrollment charter schools, and other appropriate interested persons, the commissioner shall adopt rules applicable to the consortium, according to the following principles for a next

generation of higher performing public schools:

(1) engagement of students in digital learning, including engagement through the use of electronic textbooks and instructional materials adopted under Subchapters B and B-1, Chapter 31, and courses offered through the state virtual school network under Subchapter 30A;

(2) emphasis on learning standards that focus on high-priority standards identified in coordination with districts and charter schools participating in the consortium;

(3) use of multiple assessments of learning capable of being used to inform students, parents, districts, and charter schools on an ongoing basis concerning the extent to which learning is occurring and the actions consortium participants are taking to improve learning; and

(4) reliance on local control that enables communities and parents to be involved in the important decisions regarding the education of their children.

(g) The commissioner shall convene consortium leaders periodically to discuss methods to transform learning opportunities for all students, build cross-district and cross-school support systems and training, and share best practices tools and processes.

(h) The commissioner or a school district or open-enrollment charter school participating in the consortium may, for purposes of this section, accept gifts, grants, or donations from any source, including a private entity or governmental entity.

1        (i) To cover the costs of administering the consortium, the  
2 commissioner may charge a fee to a school district or  
3 open-enrollment charter school participating in the consortium.

4        (j) With the assistance of the school districts and  
5 open-enrollment charter schools participating in the consortium,  
6 the commissioner shall submit reports concerning the performance  
7 and progress of the consortium to the governor and the legislature  
8 not later than December 1, 2012, and not later than December 1,  
9 2014. The report submitted not later than December 1, 2012, must  
10 include any recommendation by the commissioner concerning  
11 legislative authorization for the commissioner to waive a  
12 prohibition, requirement, or restriction that applies to a  
13 consortium participant. That report must also include a plan for an  
14 effective and efficient accountability system for consortium  
15 participants that balances academic excellence and local values to  
16 inspire learning and, at the state level, contingent on any  
17 necessary waiver of federal law, may incorporate use of a  
18 stratified random sampling of students or other objective  
19 methodology to hold consortium participants accountable while  
20 attempting to reduce the number of state assessment instruments  
21 that are required to be administered to students. The commissioner  
22 shall seek a federal waiver, to any extent necessary, to prepare for  
23 implementation of the plan if enacted by the legislature. This  
24 subsection expires January 1, 2018.

25        SECTION 2. (a) Not later than January 1, 2012, the  
26 commissioner of education shall adopt rules as required under  
27 Section 7.0561, Education Code, as added by this Act.

(b) Not later than March 1, 2012, the commissioner of education shall make available to school districts and open-enrollment charter schools the application forms required under Section 7.0561, Education Code, as added by this Act. The commissioner of education shall require school districts and open-enrollment charter schools that intend to apply to participate in the Texas High Performance Schools Consortium to submit applications not later than June 1, 2012.

(c) Not later than July 1, 2012, the commissioner of education shall formally select participants for the Texas High Performance Schools Consortium established under Section 7.0561, Education Code, as added by this Act. The consortium must begin operating not later than the beginning of the 2012-2013 school year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.

S.B. No. 1557

David Dewhurst

President of the Senate

Joe Straus

Speaker of the House

I hereby certify that S.B. No. 1557 passed the Senate on  
May 3, 2011, by the following vote: Yeas 29, Nays 2.

Patsy Spill

Secretary of the Senate

I hereby certify that S.B. No. 1557 passed the House on  
May 23, 2011, by the following vote: Yeas 142, Nays 0, one  
present not voting.

Robert Hanes

Chief Clerk of the House

Approved:

17 JUN '11

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
4pm O'CLOCK

JUN 17 2011

Don Edwards

Secretary of State